



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

JUN 26 2015

Ms. Alicia Kirchner  
U.S. Army Corps of Engineers  
Sacramento District  
Attn: Tanis Toland (CESPK-PD-R)  
1325 J Street  
Sacramento, CA 95814-2922

Subject: Southport Sacramento River Early Implementation Project Final Environmental Impact Statement / Environmental Impact Report, Yolo County, California, [CEQ# 20150137]

Dear Ms. Kirchner:

The Environmental Protection Agency has reviewed the Final Environmental Impact Statement for the above project. Our review and comments are pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. In the FEIS, the U.S. Army Corps of Engineers (USACE) evaluates the West Sacramento Area Flood Control Agency's proposal to implement flood risk reduction measures along 5.6 miles of the Sacramento River South Levee. In addition to addressing deficiencies in the existing levee, the project would improve the levee to the state-mandated target of 200-year flood protection for urbanized areas and provide an opportunity for ecosystem restoration.

EPA recognizes the need for flood protection in urbanized areas and appreciates the decision to include ecosystem restoration and a setback levee in this project. We provided comments to the USACE on the Notice of Intent on September 26, 2011 and on the Draft EIS on January 17, 2014. We are pleased to see that the FEIS addresses several of our recommendations from both letters. EPA rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) and expressed the need for additional information about Clean Water Act section 404 review coordination, cumulative impacts of induced growth, a General Conformity Determination, alternative slope protection measures, and climate change resiliency. While we appreciate the additional information and clarification provided in the USACE's response to our comment letter in the appendix to the FEIS, we have some remaining recommendations.

While the FEIS identifies Alternative 5 as the applicant-preferred alternative, it does not identify USACE's preferred alternative. Section 1502.14 of the Council on Environmental Quality's Regulations for Implementing the National Environmental Policy Act states that the FEIS should identify the lead agency's preferred alternative unless another law prohibits expression of such a preference. The absence of such information eliminates the opportunity for EPA, the public, and other stakeholders to comment on the selection of the preferred alternative. For future FEIS's on other projects, please clearly identify USACE's preferred alternative, or explain why it is not identified.

In EPA's comments on the DEIS, we noted that a General Conformity Determination will be required for the selected alternative. In the response to comments, USACE reiterates that Alternative 5 is the applicant-preferred alternative and notes that a General Conformity Determination for this alternative is

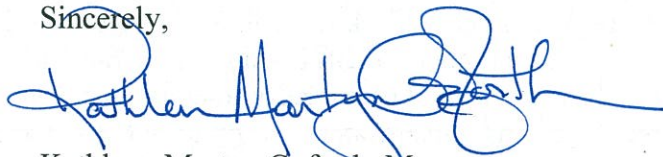
included in the FEIS. If an alternative other than Alternative 5 is selected after further CWA 404 review, a general conformity analysis will need to be conducted for that alternative. In such an event, we recommend that the Record of Decision include the General Conformity Determination for the selected alternative. We further note that the FEIS includes a commitment to offset NOx emissions to zero through a mitigation contract with the Yolo-Solano and Sacramento Metropolitan Air Quality Management Districts. EPA recommends that the ROD include a copy of the executed mitigation contracts.

EPA appreciates USACE's and West Sacramento Area Flood Control Agency's stated commitment to minimize the use of riprap for erosion control and slope stabilization. In our DEIS letter, we recommended exploring alternative methods of erosion control. The response to comments indicated that design refinement is ongoing and will include avoidance of riprap wherever practicable, but does not provide specifics about riprap alternatives or specific commitments. EPA recommends that the ROD include the selected alternatives to riprap and any appropriate measurable guidelines to specify when the alternatives are practicable.

In EPA's comment letter, we provided recommendations for communicating residual flood risk to residents of the area protected by the proposed project. In the response to comments, the USACE identified the existing notification measures and insurance requirements through the Department of Water Resources, the City of West Sacramento, and the National Flood Insurance Program. EPA recommends that the USACE commit in the ROD to providing the agencies and programs listed above with updated information about the level of protection provided by the levees during and after construction.

We appreciate the opportunity to review this FEIS. Should you have any questions regarding our comments, please contact me at (415) 972-3521, or contact Jean Prijatel, the lead reviewer for the project. Jean can be reached at (415) 947-4167 or [prijatel.jean@epa.gov](mailto:prijatel.jean@epa.gov).

Sincerely,



Kathleen Martyn Goforth, Manager  
Environmental Review Section